

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301  
Indianapolis, IN 46204  
(317) 233-0696  
<http://www.in.gov/legislative>

**FISCAL IMPACT STATEMENT**

**LS 7593**

**BILL NUMBER: SB 322**

**NOTE PREPARED: Jan 7, 2003**

**BILL AMENDED:**

**SUBJECT:** Expungement of Conviction Records.

**FIRST AUTHOR:** Sen. Clark

**FIRST SPONSOR:**

**BILL STATUS:** As Introduced

**FUNDS AFFECTED:** ☒ **GENERAL**  
☒ **DEDICATED**  
☐ **FEDERAL**

**IMPACT:** State & Local

**Summary of Legislation:** The bill allows a sentencing court to expunge the arrest and conviction records of a person who committed a felony before the person was 25 years of age after the elapse of 20 years after the completion of the person's sentence and any other obligations imposed on the person as a part of the sentence.

**Effective Date:** July 1, 2003.

**Explanation of State Expenditures:** The bill would require any state, regional, or local central repository for criminal history to send the person's records to the court and the court to seal the records. As a result, the Indiana State Police would require additional staff and computer time to comply.

The funds and resources required above could be supplied through a variety of sources, including the following: (1) Existing staff and resources not currently being used to capacity; (2) Existing staff and resources currently being used in another program; (3) Authorized, but vacant, staff positions, including those positions that would need to be reclassified; (4) Funds that, otherwise, would be reverted; or (5) New appropriations. As of December 11, 2002, the Indiana State Police Department had 126 vacant civilian positions throughout the agency, with 44 of the vacant positions within the Bureau of Support Services. Ultimately, the source of funds and resources required to satisfy the requirements of this bill will depend upon legislative and administrative actions.

**Explanation of State Revenues:** This bill could increase fees to the state General Fund. An example would be if a petition to expunge a felony record is filed under the original court case number in which the person was sentenced and the person did not pay the required fees at the time. In this case, the court might require

the person to pay any unpaid fees as part of the hearing. The state General Fund receives 70% of all criminal fees.

**Explanation of Local Expenditures:** Costs incurred by courts would increase as additional hearings occur. The cost incurred would vary by county and would depend on the number of people who sought an expungement. Also, court employees would have to send criminal history to the court for sealing resulting in additional staff and computer time.

**Explanation of Local Revenues:** See *Explanation of State Revenues*, above. The general fund at the local level receives 30% of all criminal fees.

**State Agencies Affected:** Indiana State Police.

**Local Agencies Affected:** Courts, Regional or Local Criminal History Repositories.

**Information Sources:**

**Fiscal Analyst:** Mark Goodpaster, 317-232-9852